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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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IN RE AUDIBLE INC. SECURITIES	:
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(DOCUMENT ELECTRONICALLY  
FILED)  
Civil Action No. 2:05-CV-01027-JAG-MCA  
**NOTICE REGARDING FEBRUARY 23,  
2009 INQUIRY**

Although this case has been closed, one of the Plaintiffs (H. Keith Morgan) made inquiry to the Clerk of the Court of the status of the case via a February 23, 2009 letter. Plaintiffs' Counsel hereby states that they have spoken with Mr. Morgan regarding his February 23 inquiry and confirmed that the case is closed.

March 4, 2009

COHEN MILSTEIN SELLERS & TOLL,  
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By: /s/ Daniel S. Sommers

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